

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff(s), Sumante J Hutchinson

vs.

Defendant(s). City of Redwood City,  
City of San Ramon

)  
) Case Number: 3:21-cv-05787-EMC

)  
) **JOINT CASE MANAGEMENT**  
) **STATEMENT & [PROPOSED] ORDER**

The parties to the above-entitled action jointly submit this JOINT CASE  
MANAGEMENT STATEMENT & PROPOSED ORDER pursuant to the Standing Order for All  
Judges of the Northern District of California and Civil Local Rule 16-9.

1. Jurisdiction & Service

*The Northern District Court of California has been assigned jurisdiction over this case, as requested by representation of City of Redwood City.*

2. Facts

*Plaintiff Sumante J Hutchinson had property damages in excess of \$35,000 after violation of civil rights by police officers and city workers in San Ramon and Redwood City. City of San Ramon police violated the COVID-19 Shelter In Place Orders and Mr. Hutchinson was effectively transient.*

*All of the property that the Plaintiff had on his person was intentionally trashed after it was located by Redwood City Police, when city workers discarded it in a pile of junk. Damages have impacted his ability to work as he is a*

1 *self employed producer as well as a student at The Roc Nation School of Music Technology, Entrepreneurship, and*  
2 *Production.*

3 *Items include equipment, copyright protected material, jewelry, clothing, and private information such as bank*  
4 *statements, drivers license, social security card, and sensitive information that put him at risk. He was then*  
5 *hospitalized and left with nothing but a single pair of clothes, no identification, or any other items that belonged to*  
6 *him.*

### 7 3. Legal Issues

8 *It has been determined by the Northern District Court that Mr. Hutchinson (Plaintiff) has a tort claim based on the*  
9 *information provided about property damages, destruction of copyright protected material, etc.*

10 *Mr. Hutchinson is also making a claim against The City of San Ramon and Redwood City for distress and harm*  
11 *caused as a result of the claims against them.*

### 12 4. Motions

13 *8/4/21 - Motion to Dismiss - L. Rauch*

14 *8/12/21 - Motion to Dismiss - L. Rauch*

15 *9/7/21 - Motion to Dismiss - R. Woo*

16 *2/14/22 - Judgement on the Pleadings - L. Rauch*

17 *4/3/22 - Default Judgement - by the Court - S. Hutchinson*

18 *4/5/22 - Administrative Motion per Civil Local Rule 7-11 Default Judgement - by the Clerk - S. Hutchinson*

19 *4/6/22 - Default Judgement by the Clerk - S. Hutchinson*

20 *Case has been STAYED by the Court*

### 21 5. Amendment of Pleadings

22 *The State of California was dismissed by Plaintiff and has proceed solely against The City of San Ramon and*  
*Redwood City*

### 6. Evidence Preservation

*ADR Phone Conference Held 6/2/22 between Plaintiff and Defendants.*

*(Possible tampering of evidence by Redwood City / San Mateo County Sheriff's office of Photos of damages on*  
*Officer Kaino's phone)*

1 *Proof of value of items requested at ADR, can be furnished if the court finds it reasonable.*

2 7. Disclosures

3 Yes, documents filed in a timely manner

4 8. Discovery

5 N/A, facts are as claimed

6 9. Class Actions

7 *N/A*

8 10. Related Cases

9 *N/A*

10 11. Relief

11 *Settlement in the amount of the damages of \$35K + whatever the court finds reasonable for distress and harm*  
12 *caused.*

13 12. Settlement and ADR

14 Parties referred to ADR with appointed Mediator, no discussion of Settlement has been  
15 done yet. Plaintiff referred to Federal Pro Bono Project, no representation found by their  
16 representatives.

17 13. Other References

18 *May be suitable for Jury Trial although not preferred by either party*

19 14. Narrowing of Issues

20 *Tort, Distress*

21 15. Expedited Trial Procedure

22 *N/A*

1  
2 16. Scheduling

3 *Hearing on 11/29/22 - ADR still in place without prospective end date*

4 17. Trial

5 *Court - Should be done by January 2023*

6 18. Disclosure of Non-party Interested Entities or Persons

7  
8 *N/A*

9 19. Professional Conduct

10 *Yes*

11 20. Other

12  
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22 *N/A*



Sumante J Hutchinson

Counsel for plaintiff

Dated: 11/22/22

Dated:

Counsel for defendant

### CASE MANAGEMENT ORDER

The above JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER is approved as the Case Management Order for this case and all parties shall comply with its provisions. [In addition, the Court makes the further orders stated below:]

IT IS SO ORDERED.

Dated:

UNITED STATES DISTRICT/MAGISTRATE JUDGE